

SENATE BILL 305

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R7

2004 Regular Session  
4r1527

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By: **Senator Ruben**

Introduced and read first time: February 2, 2004

Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2 **Parking for Individuals with Disabilities - Reciprocity - District of**  
3 **Columbia**

4 FOR the purpose of providing that certain provisions relating to parking for  
5 individuals with disabilities do not apply to an individual issued certain  
6 registration plates or parking placards under the laws and regulations of the  
7 District of Columbia; authorizing the Motor Vehicle Administration, under  
8 certain circumstances, to issue a temporary parking placard for an individual  
9 with a disability to a person who has certain parking privileges under the laws  
10 and regulations of the District of Columbia; providing for the termination of this  
11 Act upon the receipt of a certain notice from the District of Columbia  
12 Department of Motor Vehicles regarding reciprocity with respect to parking for  
13 individuals with disabilities; and generally relating to parking for individuals  
14 with disabilities.

15 BY repealing and reenacting, without amendments,  
16 Article - Transportation  
17 Section 13-616(g)(2), 13-616.1(f)(4), and 13-616.2  
18 Annotated Code of Maryland  
19 (2002 Replacement Volume and 2003 Supplement)

20 BY adding to  
21 Article - Transportation  
22 Section 13-616.3  
23 Annotated Code of Maryland  
24 (2002 Replacement Volume and 2003 Supplement)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
26 MARYLAND, That the Laws of Maryland read as follows:

1 **Article - Transportation**

2 13-616.

3 (g) (2) The person for whom special registration plates are issued under this  
4 section or under a similar provision of any other state or country:

5 (i) 1. Except as provided in items (ii) and (iii) of this paragraph,  
6 may park for unlimited periods in parking zones restricted as to the length of parking  
7 time permitted; and

8 2. Is not required to pay any parking meter fees of this State  
9 or of any political subdivision of this State where parking meters do not meet the  
10 requirements of the Americans with Disabilities Act;

11 (ii) May park in a parking space equipped with a parking meter  
12 only for:

13 1. Except as provided in item (ii)2 of this paragraph, twice  
14 the maximum time period permitted on the parking meter but not to exceed a  
15 maximum of 4 hours; and

16 2. If the parking meter permits parking for more than 4  
17 hours, the period permitted on the parking meter; and

18 (iii) Subject to the posted time restriction specified for this parking  
19 zone, may park in a designated zone for the handicapped established at any  
20 State-owned airport.

21 13-616.1.

22 (f) (4) When displayed, the person to whom a removable windshield placard  
23 is issued under this section or under a similar provision of law of any state or country  
24 is accorded the privileges contained in § 13-616(g) of this subtitle.

25 13-616.2.

26 (a) A person may apply to the Administration for a temporary parking placard  
27 on a form provided by the Administration if:

28 (1) The applicant, a dependent of the applicant, or any individual who  
29 depends on the applicant for transportation has a disability, as described in §  
30 13-616(b)(1) of this subtitle; and

31 (2) A licensed physician, licensed chiropractor, licensed optometrist, or  
32 licensed podiatrist, as defined in § 13-616(a) of this subtitle, certifies that the  
33 disability is not permanent but would substantially impair the applicant's mobility or  
34 limit or impair the applicant's ability to walk for at least 3 weeks, and is so severe  
35 that the applicant would endure a hardship or be subject to risk of injury if the  
36 temporary parking placard were denied.

1 (b) An application under subsection (a) of this section shall be accompanied  
2 by:

3 (1) Proof satisfactory to the Administration that the applicant, the  
4 dependent of the applicant, or the individual who depends on the applicant for  
5 transportation is a person with a disability under subsection (a) of this section; and

6 (2) The certification of a licensed physician, licensed chiropractor,  
7 licensed optometrist, or licensed podiatrist that the applicant, the dependent of the  
8 applicant, or the individual who depends on the applicant for transportation is  
9 disabled, including an estimate of the length of time the disability will continue.

10 (c) (1) A temporary parking placard for a person with a disability issued  
11 under this section shall be valid for a period of time the licensed physician, licensed  
12 chiropractor, licensed optometrist, or licensed podiatrist has determined that the  
13 applicant, the dependent of the applicant, or the individual who depends on the  
14 applicant for transportation is likely to have the disability, not to exceed 6 months.

15 (2) The person to whom a temporary parking placard was issued under  
16 this section shall return the placard to the Administration within 5 calendar days of  
17 the placard's expiration.

18 (d) (1) A temporary parking placard for a person with a disability shall be  
19 issued in the form, size, and design determined by the Administration.

20 (2) A person to whom a temporary parking placard is issued shall display  
21 the placard described in this section in a vehicle described in § 13-616.1(e)(2) of this  
22 subtitle.

23 (3) This section applies only to vehicles defined in §§ 13-616(b)(3) and  
24 13-616.1(e)(2) of this subtitle.

25 (e) (1) Except as provided in paragraph (3) of this subsection, when  
26 displayed by the person to whom a temporary parking placard is issued, the  
27 temporary parking placard shall be hung from the inside rearview mirror when the  
28 vehicle is parked.

29 (2) A person may not drive a vehicle while a temporary parking placard  
30 described under paragraph (1) of this subsection is hanging from the inside rearview  
31 mirror.

32 (3) The temporary parking placard shall be placed inside a vehicle that  
33 is not equipped with an inside rearview mirror, in a position from which the  
34 temporary parking placard can be viewed from the outside of the vehicle through the  
35 lower portion of the windshield on the driver's side of the vehicle.

36 (4) When displayed, the person to whom a temporary parking placard is  
37 issued under this section or under a similar provision of law of any state or country is  
38 accorded the privileges contained in § 13-616(g) of this subtitle.

1 (f) (1) A person may not commit any fraud or make any misrepresentations  
2 in certifying a person's disability or applying for or using a temporary parking  
3 placard.

4 (2) (i) To determine if the eligibility requirements continue to be met,  
5 the Administration may conduct a review of a temporary parking placard that is  
6 issued by the Administration under this section.

7 (ii) If the Administration finds it necessary to review the severity of  
8 a placard holder's disability or the current status of the temporary disability, the  
9 Administration may request a review and recommendations from the Medical  
10 Advisory Board established under § 16-118 of this article.

11 (iii) If the Administration determines that eligibility requirements  
12 are not being met, the Administration may revoke the temporary parking placard.

13 (g) Any person who violates the provisions of this section is guilty of a  
14 misdemeanor.

15 (h) The Administration shall:

16 (1) Administer the temporary parking placard program in accordance  
17 with the provisions of this section; and

18 (2) By July 1, 2001, establish an automated system for recording the  
19 issuance, renewal, and expiration of temporary placards in a timely manner to ensure  
20 that the objectives of the temporary placard program are achieved in an efficient and  
21 orderly manner.

22 (i) In accordance with the provisions of this section, by July 1, 2001, each  
23 board for licensed physicians, licensed chiropractors, licensed optometrists, or  
24 licensed podiatrists shall be responsible for the development and maintenance of a  
25 database system with which the Administration can interface and verify licensure.

26 13-616.3.

27 (A) THE PROVISIONS OF §§ 13-616(G)(2), 13-616.1(F)(4), AND 13-616.2(E)(4) OF  
28 THIS SUBTITLE DO NOT APPLY TO AN INDIVIDUAL WHO HAS RECEIVED A SPECIAL  
29 REGISTRATION PLATE, REMOVABLE WINDSHIELD PLACARD, OR TEMPORARY  
30 PARKING PLACARD FOR AN INDIVIDUAL WITH A DISABILITY ISSUED UNDER THE  
31 LAWS AND REGULATIONS OF THE DISTRICT OF COLUMBIA.

32 (B) (1) A PERSON WHO HAS RECEIVED A SPECIAL REGISTRATION PLATE,  
33 REMOVABLE WINDSHIELD PLACARD, OR TEMPORARY PARKING PLACARD FOR AN  
34 INDIVIDUAL WITH A DISABILITY ISSUED UNDER THE LAWS AND REGULATIONS OF  
35 THE DISTRICT OF COLUMBIA MAY APPLY TO THE ADMINISTRATION FOR A  
36 TEMPORARY PARKING PLACARD FOR AN INDIVIDUAL WITH A DISABILITY UNDER §  
37 13-616.2 OF THIS SUBTITLE.

1           (2)       THE ADMINISTRATION MAY ISSUE A TEMPORARY PARKING PLACARD  
2 TO AN APPLICANT UNDER PARAGRAPH (1) OF THIS SUBSECTION IF,  
3 NOTWITHSTANDING THE APPLICANT'S PLACE OF RESIDENCE, THE APPLICANT  
4 MEETS THE REQUIREMENTS OF § 13-616.2 OF THIS SUBTITLE.

5       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
6 October 1, 2004. It shall remain effective until the Department of Legislative Services  
7 receives notice from the District of Columbia Department of Motor Vehicles indicating  
8 that the District of Columbia will recognize as valid special registration plates,  
9 removable windshield placards, and temporary parking placards issued by the State  
10 of Maryland to individuals with disabilities who are residents of Maryland. At the end  
11 of the fifth day following the receipt of the notice under this section, with no further  
12 action required by the General Assembly, this Act shall be abrogated and of no further  
13 force and effect.